

The U.S. Army and Constabulary Operations

**A Monograph
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ABSTRACT

THE U.S. ARMY AND CONSTABULARY OPERATIONS by Major Edwin C. Brouse, US Army, 68 pages.

The mission of the Army is to fight and win our Nations wars. Inherent in that mission is to win the peace after the war. During Operation Iraqi Freedom, Army leadership stated that American soldiers would not police Iraq, but that Iraqis would be responsible for policing themselves and building their own nation. International law and U.S. doctrine state that the U.S. military is responsible for policing, stability and reconstruction of Iraq. As OIF, like OEF in Afghanistan, is a campaign in the Global War on Terror, it is likely that the U.S will be involved in another constabulary and nation building operation.

This monograph argues that an analysis of successful U.S. constabulary and nation building operations applied to the contemporary operating environment will provide a framework to develop a specialized force based off of an analysis of the doctrine, organization, training, leadership, personnel, facilities and material (DOTLPM) required to create such a force. The Pentagon released Pentagon Directive 3000 in November of 2005 directing that stability and nation building operations are equal to combat operations in importance, requiring that they are addressed across all Department of Defense activities with plans for security and funding for reconstruction. More importantly, the U.S. Army needs a unit that is specifically trained in conducting constabulary and nation building operations. This unit has to be trained and resourced in conducting security operations, establishing governance and participation, improving social and economic well-being, and implementing judiciary reforms.

A systematic analysis of the U.S war with Mexico, Reconstruction in the South during and after the U.S. Civil War, Occupation of the Philippines, Post World War Two occupation of Germany, and operations in Iraq identify how commanders are able to meet requirements that they are not trained or resourced for with conventional forces but are required to successfully execute in order to win after major combat operations are over. These examples of constabulary and nation building operations may provide an example for future planners to develop a force that is trained and resourced to successfully accomplish what is a specified priority Department of Defense mission.

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ACRONYMS

BCT	Brigade Combat Team
CA	Civil Affairs
CAD	Course Administration Data
CATS	Common Army Training Strategy
CENTCOM	Central Command
CFLCC	Combined Forces Land Component Command
CJTF-7	Combined Joint Task Force Seven
COIN	Counter Insurgency
CPA	Coalition Provisional Authority
CPX	Command Post Exercise
DAC	District Advisory Council
DoD	Department of Defense
DOTLPM	Doctrine, Organization, Training, Leader, Personnel, Facilities, Material
DP	Displaced Person
EN	Engineer
GWOT	Global War on Terror
HMMWV	High Mobility Multi Wheeled Vehicle
HN	Host Nation
IA	Inter Agency
IBA	Interceptor Body Armor
ITP	Individual Training Program
JOC	Joint Operating Concept
JP	Joint Publication
MEF	Marine Expeditionary Force
MP	Military Police

MS	Medical Service
MTOE	Modified Table of Organization and Equipment
NAC	Neighborhood Advisory Council
NGO	Non Governmental Organizations
NMS	National Military Strategy
NSS	National Security Strategy
OGA	Other Governmental Agencies
OIF	Operation Iraqi Freedom
ORHA	Office of Reconstruction and Humanitarian Assistance
POI	Program of Instruction
PW	Prisoner of War
SAPI	Small Arms Protection Insert
STR	Stabilization, Transition and Reconstruction
TO&E	Table of Organization and Equipment
TPFDL	Time Phase Force Deployment List
TRADOC	Training and Doctrine Command
UAV	Unmanned Aerial Vehicle

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INTRODUCTION

“No matter what change we may desire in the feelings and thoughts of people South, we cannot accomplish it by force. Nor can we afford to maintain there an army large enough to hold them in subjugation. All we can, or should attempt is to give them rope, to develop in an honest way if possible, preserving in resource enough military power to check any excess if they attempt any.”¹

General William T. Sherman, September 1865

Army doctrine dictates that we conduct stability and reconstruction operations once the combat operations have ceased. These operations are conducted by the same units that just conducted the combat operations with some augmentation from combat support and combat service support units that may include civil affairs (CA), military police (MP), engineer (EN), medical service (MS) and other capabilities if available. These clear cut operations work well when there is a defined enemy, there is a large force is available, and lots of time. Today, however, stability and reconstruction are more critical than the combat operations to ensure that the peace is won as well as the war. The forces available to conduct both combat operations and stability and reconstruction operations are much more constrained and employed on a global scale. The Army is going through transformation today that is supposed to give it a joint capability with an expeditionary mindset. Arguments center around how many maneuver battalions will be in each of the new Brigade Combat Teams (BCT) and the number of unmanned aerial vehicles (UAV) in a platoon. All of these arguments are focused on purely kinetic answers to all of the problems that the Army is forced to solve. If transformation is really going to change the capability of the Army, it should include the people and resources that are trained in conducting operations that are required in nation building missions. Providing capabilities to the

¹ Rachel S. Thorndike, “*The Sherman Letters*,” (New York, NY, 1894) 256.

BCTs such as an organic unit that is knowledgeable in how to establish security forces like the police, set up and run government at the local and provincial level, plan for social and economic improvements in the provision of basic services or establishing market economies would give the BCT commander the tools to ensure that the victory won on the battlefield is not lost on the population that is liberated.

The Pentagon published Pentagon Directive number 3000 titled “Military Support for Stability, Security, Transition and Reconstruction Operations” on 28 November, 2005. This directive that was signed by the acting Deputy Defense Secretary Gordon England elevates stability or nation building operations to the same level of importance as major combat operations. U.S. forces will accomplish this by training their forces on how to create indigenous security forces, democratic institutions and free markets. Its objective is to ensure that there is a plan to restore security after major combat operations end and that the funds are available to begin rebuilding. “Stability operations are a core U.S. military mission that the Department of Defense shall be prepared to conduct and support. They shall be given priority comparable to combat operations and be explicitly addressed and integrated across the DoD activities including doctrine, organizations, training, education, exercises, materiel, leadership, personnel, facilities, and planning.” Some of the goals of the paper are to rebuild security forces, prisons and judicial systems, revive or build the private sector, and develop representative governmental institutions. They reject the concept of dedicating a specific military unit to this task, but would rather have all forces trained in nation building.

The mission of the Army is to fight and win our Nation’s wars and to execute the National Security Strategy (NSS) and the National Military Strategy (NMS). In order to meet these responsibilities, the Army must have a vision of what the future enemy might be and how best to defeat him to protect National interests. This vision calls for a force that will provide more strategic flexibility and dominate at every point across the full spectrum of operations. These full spectrum missions include prompt responses, forcible entry operations and sustained

land dominance.² Dominance includes not only the combat operations, but the stability and reconstruction operations as well. Robert Orr states that post conflict reconstruction is an effort by the United States to help build a capable state in four areas: security, governance and participation, social and economic well being, and justice and reconciliation.³ In order to meet the requirements as outlined in the NSS and NMS and achieve success in reconstruction operations, the Army must create a constabulary force that is capable of understanding and executing the four pillars of reconstruction. This force must be ready to begin operations during and after combat operations, knowing when military operations change to occupation operations. It should be large enough for the population size it will be forced to interact with and able to rotate with other constabulary forces for extended occupations. The constabulary will need capabilities in security, providing basic services, economics and governance. The size and construct of this force is dependent on many variables. The scope of the mission, the demographic makeup of the country, socio-economic conditions and any strategic circumstances are just a few examples of some of the variables involved in designing a constabulary force.⁴

This monograph argues that an analysis of past successful United States constabulary and reconstruction operations and contemporary planning for operations in Iraq following the end of major combat operations will provide a framework for how a constabulary and reconstruction force should be developed and built to conduct these operations. The importance of this is that the military will conduct these operations in the future. An historical analysis of what worked and why it worked may help facilitate the conclusion of operations in Iraq and focus resources and efforts to critical areas in future constabulary and reconstruction operations. The United States will continue to conduct these operations the same as we will conduct airborne or air

² James R. Oman, *How the Army Runs*, (Carlisle, PA: U.S. Army War College, 2004), 2.

³ Robert C. Orr, *Winning the Peace: An American Strategy for Post-Conflict Reconstruction* (Washington, D.C., The CSIS Press, 2004), 10-11.

⁴ Richard W. Stewart, "Occupation: Then and Now" in *Armed Diplomacy: Two Centuries of American Campaigning* (Fort Leavenworth, KS: Combat Studies Institute Press, 2003) 270-271.

assault operations. We just need a force that, like the aforementioned, is specialized to conduct constabulary operations.

CONSTABULARY FRAMEWORK

The United States has been involved with stability and reconstruction operations since its inception as a fighting force. It is necessary to understand definitions used to define constabulary forces, their principles and why the United States conducts these operations. After the base understanding of constabulary operations is defined, it is necessary to review successful constabulary operations to identify why they were successful. A systems analysis of key nodes as identified by the leadership in these operations, actions taken to affect these nodes, and resources applied to these actions will identify commonality among these successful constabulary operations. These commonalities can then be categorized into a contemporary metric of doctrine, organization, training, leader, personnel, facilities and material (DOTLPFM) and applied to current operations in Iraq to help determine requirements for future constabulary operations.

Definitions

A constabulary force definition is not in current doctrine. Webster defines it as “an armed police force organized on military lines but distinct from the army.” The tasks that are typically given to constabulary forces are to provide internal defense and stability. Internal defense today translates into counterinsurgency operations. Stability operations include providing security, promoting governance and participation by the people, improving the social and economic well-being of the people, and establishing justice and reparations for offenses.

Current doctrine defines counterinsurgency as “those military, paramilitary, political, economic, psychological and civic actions taken by a government to defeat an insurgency.”⁵ It also outlines several imperatives of counterinsurgency that help define the role of the force conducting these operations. The first of these imperatives is that it must help to establish or

⁵ Chief of Staff, U.S. Army, FMI 3-07.22, *Counterinsurgency Operations* (Washington, D.C.: Headquarters, Department of the Army, 2004) Glossary-3.

reestablish a legitimate government. The second is that it must have perseverance for a protracted operation. Third, it must foster popular support. The fourth imperative, and key to defining operations larger than just military operations, is that it must be prepared to conduct operations that are outside the normal scope of their training. Finally, they must be able to coordinate with all inter-agencies (IA), other government agencies (OGA), non-governmental organizations (NGO), host nation (HN) and foreign agencies.⁶

Robert Perito, in his book *Where is the Lone Ranger When We Need Him?*, outlines a proposal for integrating military and civilian personnel to form a “U.S. force for stability” that would become part of any U.S. intervention force. His contention is that this force would be able to close the security gap between combat operations and a sovereign, functional government in the post-conflict period. This stability force would consist of a robust military force, a constabulary force, a civilian police force and an organization composed of rule of law professionals such as judges, lawyers and corrections experts. The role of the military force would shift from combat operations to security operations focused on external threats. Simultaneously, the constabulary force would take responsibility for internal security as well as suppressing lawlessness and civil disorder. The civilian police would work with the constabulary to maintain and restore public safety, to include the reestablishment of enforcement institutions. The justice experts would round out the package by ensuring the restoration of the rule of law.⁷

David Galula describes his force as one that, as long as there is not a powerful regular army to oppose it, the occupier has no need for a heavy, sophisticated force designed for conventional warfare. He needs lots of infantry that are mobile and some fire support assets for occasional support. He needs cavalry type units for reconnaissance and route surveillance as well as patrolling. His air assets must be capable of close in-ground support and observation.

⁶ Ibid., 2-2.

⁷ Robert M. Perito, *Where is the Lone Ranger When We Need Him? America's Search for a Postconflict Stability Force* (Washington, D.C. United States Institute of Peace Press, 2004) 323-337.

Additionally, cargo aircraft must be capable of short takeoff and landings. Finally, he needs a lot of signal support and capability to cover the large time and space involved in constabulary operations. The development of these forces is even larger than this. The typical constabulary force, as currently employed by the U.S., just took part in major combat operations and will now be confronted with a number of non-military tasks which have to be performed in order to get the support of the population, which can only be performed by military personnel, due to a shortage of reliable civilian political and administrative personnel. Enforcing regulations, gathering intelligence, implementing economic and social reform become primary activities. The constabulary force has to be equipped and supported with these capabilities to be successful. As Galula says, “copiers are more important than machineguns, pediatricians are more important than mortars, cement is more important than barbed wire, and clerks are more important than riflemen.”⁸

The security pillar addresses all aspects of public safety, in particular the establishment of a safe and secure environment and the development of a legitimate and stable security institution. It is both collective and individual security and is necessary for achieving success with the other pillars. It includes securing the lives of the civilians from immediate and large scale violence and the restoration of their territorial integrity. This is the pillar that supports all other actions in constabulary operations. The governance and participation pillar is needed for a legitimate effective, political and administrative institution to develop as well as a participatory electoral process. Governance involves setting the rules and procedures for political decision making and strengthening public sector management and administration to deliver public service in an efficient manner. The social and economic well-being pillar is the provision of constabulary operations that provides emergency relief, restoration of essential services, laying the foundation for a viable economy. It is also the initiation of an inclusive and sustainable development

⁸ David Galula, *Counterinsurgency Warfare: Theory and Practice*, (Westport, CT, Greenwood Press, 1964) 93-94.

program. Well-being entails protecting the population from starvation, disease and the elements. As the situation stabilizes, the attention shifts from humanitarian elements to long-term social and economic development. The justice and reconciliation pillar creates an impartial and accountable legal system and provides ways to deal with past abuses. In particular, it will create an effective law enforcement organization to work with the constabulary forces, an open judicial system, functioning laws and humane corrections systems. Additionally, it will create both formal and informal mechanisms for resolving grievances arising from conflict, allowing the population to redress their grievances, exact appropriate penalties for previous acts and build the capacity to expand and enhance the rule of law.⁹

What has developed as a definition then is a force comprised of combat, combat support and combat service support units that are capable of providing internal security, through the use of military and police forces comprised of U.S, coalition and host nation resources. These forces are responsible for reestablishing security, governance, socio-economic well-being and justice during the transition from combat operations until a legitimate sovereignty is capable of providing and sustaining institutions within its boundaries.

In designing a constabulary force, it is necessary to understand how any military force is developed within current constructs. The Training and Doctrine Commander (TRADOC) is responsible for the integration and the validation of concepts developed for future force capabilities that normally address core areas to include:

1. Missions, functions, capabilities and limitations of the unit
2. Command and control linkages
3. Individual, collective and leader training requirements
4. Sustainment of the unit both in the field and in garrison
5. Doctrinal impacts

⁹ Ibid., 11

6. Impacts on material programs

His analysis of these areas is conducted through a system analysis using the DOTLPFM. Doctrinal analysis includes the definition of the mission and purpose of this unit concept and what this unit will have to do to achieve its mission. The organization is then designed and resourced based off of a Table of Organization and Equipment (TO&E) that is further modified within budgetary constraints to a Modified Table of Organization and Equipment (MTOE). To equip this unit TO&E with qualified personnel, training may have to be developed to change or improve individual training programs (ITP), course administrative data (CAD), program of instruction (POI) and common army training strategy (CATS). Both the leader and personnel will require a specific action plan to further develop their abilities within this new organization. Facilities will be identified that are required for this unit or that are unique to this unit that would mandate new construction or modifying existing facilities. Material analysis would identify any system modifications, upgrades or new systems that are required to support the development of the constabulary force.¹⁰

Principles

Army Field Manual Interim 3-07.22 *Counterinsurgency Operations* discusses fundamental conditions that the force must establish to be successful. These conditions are really five principles that a constabulary force must apply to the local level when planning and executing constabulary operations. Embedded with all constabulary operations from the planning, preparing, resourcing and execution is the fact that it is not only U.S military forces, but also Host Nation forces and agencies, either as they exist or as they are built under the justice pillar, other U.S organizations, multinational partners and Non Governmental Organizations that can influence the mission.

¹⁰ James R. Oman, *How the Army Runs* (Carlisle, PA: U.S. Army War College, 2004), 46-47.

The first fundamental principle is the ability to secure the population. This security includes security from the influence of the internal forces that are opposed to occupation or change. The population needs to be included in their own security to take ownership. This requires a plan for their mobilization, arming and training. The effective security of the population will allow the local political and administrative institutions to operate, which in turn will promote commerce and normalcy to grow or return.

Building on to the successful accomplishment of the first principle of security, the constabulary force can facilitate the accomplishment of the second principle, the establishment of local political institutions. The constabulary must ensure that conditions exist for the development of Host Nation governmental institutions that are consistent with U.S. objectives. The objectives continue along the security line of operation for the population. The necessary government institutions that need to be established include law enforcement, freely elected political leaders, available public information through local news sources, health care, schools, basic public works of water, sewer and electricity, and fire fighting capabilities.

The third principle is the creation and integration of a contributing local government. This is both a physical and mental resource for the population to involve themselves with the creation of their future. The integration of local security forces into every operation must be emphasized with the local, Host Nation and civil and military leadership. The psychological need to reassure the populace that their own forces are providing continuous and effective security is tantamount to winning information operations. All operations conducted by the constabulary must take into account the effect that it will have on the local government legitimacy and effectiveness. This also will support the third pillar by improving the social and economic well-being of the population by the improvement in their local government and what that government is now capable of providing to the population.

The fourth principle, neutralize the internal disruptive force and capabilities, builds on the fourth pillar, justice. By providing an institution that enforces laws, can exact justice and

provides a legitimate and acceptable place to air grievances, disruptive internal forces are neutralized and not allowed to exploit social unrest. The constabulary must work with local authorities to resolve issues that are creating a concern with the local population in order to legitimize the local governmental institutions.

The fifth principle encompasses all four pillars and is the need to control the information flow from local sources. Information gathered from local sources will help facilitate the constabulary's ability to work with the local government to defeat any insurgency or other disruptive forces at work within the population. The information must be gathered and utilized immediately by the local constabulary to advantage useful information. The paradigm shift here for the constabulary is that they will be collecting and using the information from local sources through contacts they have cultured as well as with other entities or agencies rather than receiving information from a higher pyramidal model that conventional military operations receive.¹¹

A draft Joint document on stabilization, transition and reconstruction identifies five needs for these operations that a constabulary force would integrate into their planning and execution. The first is to pursue interim conditions for the "next state" in the stability, transition and reconstruction process. Secondly, they would impose security by adopting both an assertive and engaging posture. They would need to neutralize, co-opt or induce others whom threaten security and the creation of a new "normalcy" within the state. The third condition is the development of reliable local intelligence. This would also include the incorporation of information operations into every action, both tactical and operational. The fourth condition is the organization of the effort of the military and civilian agencies to achieve integrated, multi-agency unity of effort and coherence of actions. The final condition is to act from a position of legitimacy. This would

¹¹ Chief of Staff, U.S. Army, FMI 3-07.22, *Counterinsurgency Operations* (Washington, D.C.: Headquarters, Department of the Army, 2004) 2-2 – 2-3.

require both the constabulary and local government to act with precision, balanced restraint and overmatching power when required. They must operate from within the law to enforce the law.¹²

Legal Requirements

In order to operate within the law, the constabulary force must understand the law. Part of this understanding includes why it is necessary to provide for the population that is occupied. These requirements are outlined within The Hague Convention Number IV, from October 18, 1907, entitled Respecting the Laws and Customs of War on Land. A territory is considered occupied when it is actually placed under the authority of the hostile armed forces. This occurs during the conduct of combat operations, not at some future subjective transition point. So the first legal requirement is that the occupation must be both actual and effective. It is, however, not legal to transfer sovereignty to the new occupying force while hostilities are still on going. Occupation is then provisional in nature.¹³

The occupied territory must then be administered by a military government because of the inability of the legitimate government to do so or the undesirability to allow it to do so. The occupying power is therefore legally required to restore and maintain public order and safety, while respecting the laws of the occupied territory. They may allow the local authorities to maintain some or all of their normal functions. This legal requirement specifies that the occupying force must enforce normal civil and criminal laws.

Family honor, life and property, in accordance with the Geneva Convention, must be respected. Additionally, the occupying force must ensure that the population is provided with adequate food, medical supplies and treatment facilities, hygiene and public health measures. Children also receive special protection and care, specifically with their education, food, medical

¹² Draft Working Paper, Version 1.6, *Stabilization, Transformation and Reconstruction Joint Operating Concept* (Washington, D.C., Department of Defense, 2004) 3.

¹³ Tia Johnson, *Operational Law Handbook* (Charlottesville, VA: The Judge Advocate General's School, 2003) 24.

care and protection from the effects of war. Further protection of personal property is specified, making purposeful destruction or pillaging of it illegal. Only the requisition of goods and services from the local population in proportion to the local resources is allowed.¹⁴ Finally, there is the recent question of torture. The Geneva Convention, relative to the treatment of Prisoners of War, dated August 12, 1949 states that prisoners must be protected from both physical and mental harm. These protections continue through all stages of captivity, including interrogation. Therefore, basic human rights are required for persons as designated Prisoners of War (PW).¹⁵

Scoping down legal requirements from an international law to a United States Law, the constabulary is required to understand what Title 10 of the United States Code 3062 states. Within this Code, subtitle B, Army, Part I, Organization, chapter 307, The Army, section 3062 establishes the policy, composition and organization of the Army. Paragraph (a) specifies that “it is the intent of Congress to provide an Army that is capable, in conjunction with the other armed forces of—(1) preserving the peace and security, and providing for the defense, of....and any area occupied by the United States.” United States Code specifies that the Army is legally responsible for the peace and security of any occupied territory. This would include those territories that are occupied both during combat and post-combat operations. Section 660 of the Foreign Assistance Act of 1961 as amended and adopted in 1975 outlines all law enforcement activities. Except for specifically exempted cases, this section prohibits all aid to train, advise or provide financial support for police, prisons or other law enforcement forces of any foreign government or for programs of internal intelligence or surveillance on behalf of a foreign government. Among the exemptions is one for post-conflict situations, however, there is no

¹⁴ Ibid., 24-25.

¹⁵ Ibid., 22.

standing U.S. civilian force that is funded, trained or standing by to provide this capability in support of national strategic goals.¹⁶

Historical precedence for legal guidance or regulations in the occupation of territory by the United States is not addressed. A review of the Articles of War drafted in 1806 governed purely military offenses such as desertion or violation of orders, but statutes did not address martial law which was used to govern inhabitants of occupied territory.¹⁷ Thus, military commanders needed to use what they felt were required during the occupation of Mexico during the U.S – Mexican war and the early years of the American Civil War in the occupied South. In May of 1863, the government published General Order No 100, entitled “Instructions for the Government of the Armies of the United States in the Field.” This order attempted to codify for the military portions of international law governing the conduct of war and the relations of occupying forces with the people in occupied territories. This order and the guidance from President Abraham Lincoln were incomplete and did not address all of the concerns of the commanding generals in the occupied South.¹⁸

This now gives us an understanding of what the mission and capabilities of a constabulary force are and how the principles that underlie their employment will help to define the gaps left in the statutory regulations. The commanders were still required and expected to conduct constabulary operations that furthered the achievement of national strategic goals while complying with the international laws and expectations. To determine what tasks commanders executed, why they chose these tasks and what force they utilized to accomplish the mission in examples of successful constabulary operations will help to define a model for future constabulary operations. These operations include the occupation of Mexico during the U.S-

¹⁶ Nina M. Serafino *Policing in Peacekeeping and Related Stability Operations: Problems and Proposed Solutions* (Washington, D.C., CRS, 2004) CRS-5.

¹⁷ James E. Sefton *The United States Army and Reconstruction 1865-1877* (Baton Rouge, LA. Louisiana State University Press, 1967) 7.

¹⁸ *Ibid.*, 6.

Mexican War, occupation of the South during and after the American Civil War, occupation of the Philippines after the Spanish-American War, occupation of Germany after World War Two, and current operations in Iraq following combat operations in Operation Iraqi Freedom.

NINETEENTH AND TWENTIETH CENTURY OPERATIONS

The United States involvement in constabulary operations has continued to dominate our military history. Whether it involves a contingent of marines stabilizing a Central American country or a large deployment of U.S. forces, the necessity to effectively conduct stability and reconstruction is key to meeting national objectives. Military culture likes to ignore these operations as less important than the decisive combat operations that bring glory to individuals and further U.S. power around the globe. Just as important to winning the decisive battle is the ability to win the decisive peace. A systems analysis of the nodes identified by the commanders as being key in several successful constabulary operations and determining what type of resources they utilized in their actions to affect those nodes is the first step in developing a new constabulary force for future operations.

U.S War with Mexico

The American definition of stabilization has changed from the mid Nineteenth Century until today. In 1848, the United States sought only to ensure the existence of a stable, sovereign and reasonably cooperative government in Mexico. In contrast, the objective of creating a democratic government in a conquered territory has risen as a core competency of our recent military campaigns. The task of destroying the enemy forces and then reconstructing all of their social and civil organizations is a much lengthier process and a much more complex problem than the approach of President Polk's administration of invasion and stabilization.¹⁹ This must be remembered when viewing the historical context of the first case study. One of the first questions to answer is by what means and with what amount of accuracy can we determine the extent that the civilian population of a liberated or invaded territory will allow the liberator or occupier to

¹⁹ Irving W. Levinson *Occupation and Stability Dilemmas of the Mexican War: Origins and Solutions in Armed Diplomacy: Two Centuries of American Campaigning* (Fort Leavenworth, KS.: Combat Studies Institute Press, 2003) 10.

conduct necessary operations to achieve their military goals as well as their political goals of establishing new governance. The key node of the “population” can both stand aside and thereby refrain from increasing the conflict or they may inject a force into the system to move it in a different direction than what is desired.

General Winfield Scott, the commanding general of U.S. forces in Mexico, explained to his troops that their move toward Mexico City could succeed only if the civilians living along his line of march agreed to supply provisions and did not interfere with violence towards them during their move. Consequently, he ordered them to pay for all items they took to keep the Mexicans from hiding commodities that they might need. General Scott was able to envision that his force must not only defeat the Mexican Army, but also must pacify the Mexican people once hostilities ended. He also was able to realize that his force was responsible for the occupation of Mexico following hostilities and he needed to set conditions for that during combat operations. He ordered that “the people, moreover, must be conciliated, soothed, or well treated by every officer and man of this army, and by all its followers.” Additionally, to avoid provoking a religious uprising in a Catholic state under attack from a protestant army, he instructed his soldiers “to keep out of the way or to pay to the Catholic religion and to its ceremonies every descent mark of respect and deference.”²⁰

Once General Scott’s men had occupied Mexico City, they had the difficult task of governing the enemy capital as well as the rest of the territory they now possessed with an occupation government which would have to win them the most friends and create the fewest enemies. General Quitman, who was the first U.S military governor of Mexico City, kept the principal local officials in office. This reduced the friction between the local inhabitants and the Army. General Scott also published his General Order Number 20 with the addition of authority

²⁰ Ibid., 3.

for military commissions to arrest Americans for crimes against Mexicans and the creation of a Mexican police force to assist the occupation authorities in maintaining the peace.²¹

Antoine Henry Jomini was the biggest influence on the officers who graduated from the United States Military Academy and would later be responsible for the occupation of Mexico. Specific lessons and insights that were used by them was his involvement in the French invasion and occupation of Spain. Jomini's writings on his role in the invasion and the disastrous efforts to pacify the Spanish population were a contemporary example for them of how not to police a nation. The brutality of the French troops towards the civilian population, their zealotry in assaulting respected social practices and hostility towards the Catholic Church fanned the resistance. Additionally, the brutal tactics employed against the Spanish guerrillas motivated the clergy to join the patriots in converting the struggle against the invaders into a nationalistic uprising.²²

General Scott knew that the conduct of his troops could act as a similar catalyst in Mexico as what happened in Spain. In order to control his armies' actions and try to facilitate their ability to police Mexico, he issued General Order Number 87 in April of 1847. He created a legal precedent for the conduct and training of his forces conducting both combat and constabulary operations in Mexico. He made it a crime for soldiers to commit acts of assassination, murder, rape, and malicious assault against the Mexican population. It further specified in the order that all supplies must be paid for, a move away from the pillaging or foraging off of the land as had been customary to occupying armies. Scott reiterated his directive that the people must be conciliated, soothed and well treated by every officer and man and all its

²¹ K. Jack Bauer *The Mexican War 1846-1848* (Lincoln, NE.: University of Nebraska Press, 1974) 326.

²² Irving W. Levinson *Wars within War: Mexican Guerrillas, Domestic Elites, and the United States of America* (Fort Worth, TX.: Texas Christian University Press, 2004) 21.

followers, which would equate to contractors today. Finally, his order established the legal precedence for the universal respect for all Catholic property and practice.²³

General Scott's policy against the guerrillas and insurgents were quite different. In dealing with the guerrilla, which affected his lines of communication from Mexico City to the coast, he put in to practice a policy of collective punishment. He utilized a policy that General Taylor had established in northern Mexico which required the local civilians to pay for damages that the partisans inflicted on the U.S. supplies. Scott applied this rule to the mayors of the local towns along his route rather than to the entire community, forcing the mayors to actually use their power to identify weak or sympathetic mayors that needed to be replaced. Mexican officials who wished to avoid this penalty could do so only by detecting and punishing compatriots who attacked U.S. forces. One assumption by Scott with this tactic is that the local mayors possessed both the military skill and resources to pursue and destroy partisan guerrilla forces. Additionally, General Scott chose poorly in his choices of some of the local Mexicans to help enforce the U.S. rules. His largest detractor was his choice in his ally of Manuel Dominguez, a "noted and dangerous robber."²⁴ He was a Mexican citizen that was appointed as a Colonel and commanded nearly 200 Mexicans that formed the U.S. Army's "Mexican Spy Company" and worked for General Scott in central Mexico from 1847 to 1848. Their duties included the protection of U.S. troops and wagon trains that traveled the Vera Cruz to Mexico City supply route and to provide intelligence on the movement of regular Mexican Army units and the guerillas.²⁵

Although the various partisans' attacks did not overwhelm the U.S. garrisons or break the U.S. supply lines, they did force General Scott to direct significant resources and attention to policing activities and countering the guerrilla threat in his rear. The victories that he gained against the irregular forces consisted of fighting through their ambushes and continuing their

²³ Ibid., 24-25.

²⁴ Ibid., 32.

²⁵ <http://www.dmwv.org/mexwar/faqs.htm>; Internet; accessed 07 January 2006.

movement to or from the coast rather than any decisive destruction of enemy formations. This problem of securing his Mexico City to Vera Cruz lines while conducting operations continued until the end of hostilities against the Mexican government. He established fortified posts along the route of supply with a force of 500 to 750 men at each post. He also garrisoned Pueblo with 1200 to 2000 soldiers. By November of 1847 he had 5000 soldiers committed to anti-partisan warfare, which was twenty percent of the 24,500 U.S. soldiers with him in Mexico, a nation of over three million people, and providing an additional 1,200 soldier escort for each supply train, occupying twenty-five percent of his force.²⁶ But for all of the soldiers focused on the policing mission against the guerrillas, between September 14, 1847 and February 2, 1848, the U.S. Army failed to destroy the partisan forces fighting against them in the Vera Cruz-Mexico City corridor and in the north of Mexico. Their counter-guerrilla tactics included widespread destruction of villages associated with attacks on U.S. supply lines, summary execution of captured partisans, collective financial punishments imposed on municipalities, and the use of over a quarter of his total force. The U.S. commanders realized that the success of their mission depended on a minimum level of civilian passivity. They used a mixture of harsh measures against those who violently resisted, as well as actions to promote the acquiescence or cooperation of as many Mexicans as possible. The implementation of General Scott's General Order No 87 sought to avoid a nationalistic based partisan force and to sway the public religious sentiment to, at a minimum, not interfere with U.S. operations.²⁷

Co-operating with the local officials was in the interest of the U.S. military. The officers of the U.S. Army did not wish to assume duties as mayors and similarly saw no benefit to be gained from assigning their soldiers to work as police officers or municipal bureaucrats, diverting them from the equally critical task of engaging the Mexican army and the partisans along the supply routes. General Scott took several steps to ensure that the local governments were able to

²⁶ Levinson, *Wars within War*, 61.

²⁷ *Ibid.*, 68-69.

continue to function. The first step was to ensure that they continued to receive income and revenue to finance their operations. The second step was the support of the local police. This was the most important step. If they functioned effectively, the U.S. forces would be relieved of a duty for which they were not linguistically or otherwise prepared to perform. The police officers and their authority must be respected.²⁸

Conversely, the fight against the insurgents, who were fighting against the Mexican government, was conducted differently than the fight against the guerrillas, who were focused on fighting the U.S. military in support of the Mexican government. Once the hostilities against the Mexican government and army had ceased, the U.S. army stayed in Mexico to ensure that the Mexican government would remain in power until the Treaty of Guadalupe Hidalgo was ratified by both governments to legitimize the border changes that would benefit the United States. With the cessation of hostilities, the guerrilla forces ceased operations against the U.S. forces. The signing of the treaty in February 1848 and the signing of the Armistice in March 1848 ended the violence between the two national armies. Other violence between indigenous and Campesino and the National Mexican government continued. But the United States did not want to get involved in a counter insurgency operation with the Mexican government, at least not directly.

What they did was provide weapons and ammunition to the Mexican government starting in June of 1848. They provided over five thousand rifles and seven hundred thousand cartridges; two hundred sixty eight carbines with thirty thousand rounds, and one hundred twenty four fulminating rifles with eighty thousand rounds, charging only half of the price of the market cost for the weapons and ammunition. They would also receive ample amounts of artillery pieces and other resources once both governments ratified the Treaty of Guadalupe Hidalgo. The third action by the U.S. forces in support of the Mexican government counter insurgency was by providing the physical security necessary for internal commerce to function along the route from

²⁸ Ibid., 73.

Vera Cruz to Mexico City. They invited both Mexican and foreign merchants to join U.S. Army convoys traveling the route.²⁹

In 1846, American soldiers occupied the New Mexico territory and volunteer officers wrote laws and a constitution for the territory. The American military government lasted in New Mexico until 1850. During most of that period, 1846-1849, the Army also conducted an occupation of California. Combat there concluded in January 1847, and the Californians offered no conventional or guerrilla resistance. Meanwhile, the U.S. Army officers helped to draft a constitution for the new state. Thus, the American Army had a record of military government and policing operations well before 1861.³⁰

The Army had gained some experience in military occupation and government from its efforts in Mexico under General Winfield Scott. Mexico was a foreign country that had never been a part of the United States and was never seriously meant to become part of it. Military government in Mexico led Scott to create the Military Commission to prosecute certain types of cases, which would become a standard institution by 1865.³¹

U.S. Civil War and Reconstruction

Union officers gained experience from 1861-1865 as Southern towns and cities fell to the federal forces. Union forces had to establish garrisons in the local communities and then patrol the countryside to provide stability to the occupied area. Army officers supervised the many aspects of daily life in the occupied places. These included approving newspapers and their editors, permitting churches to remain open and authorizing ministers to speak, reopening or

²⁹ Irving W. Levinson *Occupation and Stability Dilemmas of the Mexican War: Origins and Solutions in Armed Diplomacy: Two Centuries of American Campaigning* (Fort Leavenworth, KS.: Combat Studies Institute Press, 2003) 8-9.

³⁰ Joseph G. Dawson III *The US Army in the South: Reconstruction as Nation Building in Armed Diplomacy: Two Centuries of American Campaigning* (Fort Leavenworth, KS.: Combat Studies Institute Press, 2003) 40.

³¹ James E. Sefton *The United States Army and Reconstruction 1865-1877* (Baton Rouge, LA. Louisiana State University Press, 1967) 5.

establishing schools, too include schools for freemen children, and improving public health.

Officers also operated major businesses, especially railroads and banks, where new legal currency had to be put into circulation.³²

The War Department established a legal framework for the Army's operations pertaining to reconstruction by issuing General Order Number 100 on 24 April, 1863. It was drafted by Francis Lieber at the request of the War Department. Lieber was a German immigrant who was a professor of history and political economy as well as a professor of political science at Columbia College in New York from 1856 until his death in 1872. He was frequently summoned to Washington by the War Department for consultation on important subjects.³³ These instructions for the government of the Armies of the United States in the field became one of the principal foundations for the modern Law of Land Warfare in Europe. "War has come to be acknowledged not to be its own end, but the means to obtain great ends of the state." Lieber intended that all civilians should be protected and property rights should be respected, especially culturally valuable institutions such as libraries, museums and colleges. Some of the key factors of his code spelled out how the federal commanders could work with or replace local civil officials. Civil laws could function as they were written or be overridden by the military governors. General Order Number 100 laid a foundation, but the army still had no official doctrine or institutional procedure or specified organization to define and execute its role as an occupying force.³⁴ In December of 1863, President Abraham Lincoln had reorganized a pro-Union government for Virginia and created three pro-Union state governments in Tennessee, Arkansas and Louisiana where a military governor, who was a civilian holding a commission as an Army general, took charge. But still no detailed federal plans, either congressional or executive, existed for post-war reconstruction. Ultimately, reconstruction and military government in the south during and after

³² Dawson, 40.

³³ <http://www.famousamericans.net/francislieber/>; Internet; accessed 07 January 2006.

³⁴ Dawson, 40-41.

the Civil War helped complete the foundation for American military government and “nation building” in other eras. The U.S. Army’s soldiers and officers were directly involved in physically rebuilding the infrastructure of the South. They also fulfilled a peacekeeping role as a constabulary. The officer’s supervised local and state government, instituted various changes to bring significant social and political reforms and ultimately improve the social and economic well-being of a large part of the South. The Army would be forced to conduct constabulary operations in occupied territory while combat operations continued in and around them. All the while, they needed to remember that their actions during the war would have implications during the peace.

Following the surrender of the Confederacy and the return of peace to the South in 1865, the Union Army would undergo a dramatic transformation. Volunteer regiments that had originally signed up to preserve the Union now only wanted to return home and did not want to participate in the Reconstruction of the South. This would require regular units to perform the peacekeeping and constabulary operations in the occupied territory. It would then be needed to find a way to balance postwar military needs and the ever present American desire to draw down its military forces when wars end.³⁵

The task of conducting reconstruction and constabulary operations in the South required soldiers to exhibit calmness, patience, tact and an ability to use discretion widely. The ruthlessness and pure aggression used to defeat a Confederate army in the field and that made war heroes out of men like General Phil Sheridan also made them poor choices for military governance in the South. Immediately following the surrender of the Confederate armies, one of the key tasks for the occupying army was the administration of government in Southern cities and towns, which was a major problem following the collapse of the Confederate authority. A viable solution to this problem is one that was used in New Orleans. Here, the government was operated

³⁵ Sefton, 7.

by loyal citizens who acted under military authority and were subject to military supervision. The military commander had as many of the local posts filled by local civilians in order to foster a better relationship with the local inhabitants and to spare his officers for more military duties. A result of the collapse of the local governments led to the largest humanitarian problem that the military needed to control, that is the destitution that many southerners and freed slaves now found themselves in following the war. This immediate need for and tasking by the Army was so wide spread that the number of issued meals per day in Virginia in August of 1865 reached twenty-nine thousand, and was comparable to the other states at the same time.³⁶

Two other key tasks that were required of the occupation force were that of rebuilding the infrastructure and restoring the education system. Infrastructure rebuilding included the railway system, levees along the Mississippi river and the roads. In Louisiana, General Canby had the line from Shreveport, LA to Marshall, TX rehabilitated and then operated it under the command of his quartermaster officers. He also wanted to rebuild the levees along the Mississippi River with funds raised by the sale of cotton to pay for the repairs, not unlike the sale of oil in Iraq to pay for the reconstruction effort. Secondly, soldiers and officers saw the need to reestablish, or in the case of the freed slave children, the establishment of schools to improve the future of both parties. Army chaplains ran schools in Virginia that were quickly and appreciatively received by the local residents. General Joseph Hawley took the lead in establishing schools in the state of North Carolina.³⁷

Vital for the progress and eventual return to complete civil control of the occupied territory and the relief of the constabulary force to conduct their other operations was the restoration of the local and state government. The social and economic well-being is an important pillar, but the question of governance must be answered to assure a long term peace. The army was not given any specific guidance, which gave them basically three courses of action

³⁶ Ibid., 7-9.

³⁷ Ibid., 10.

in deciding the governance question. The first course of action was one that suspends all civil officials for an indefinite period of time and all government tasks are performed by army officers. The second course of action was to let the officials who held office under the confederacy to continue to perform in their offices under the supervision of the military until an election of new officials could be held. The third course was to not recognize any confederate official, with the Federal government establishing provisional governments of civilians until permanent officers are elected. The first course, although advocated by many, would have been impractical, requiring a large occupation force and soldier skills that did not exist in the army. This large force would have been required for a long period of time, and at a cost that would not have been acceptable. The second course would seem to nullify the reason for the war by allowing the same officials who resisted the Federal government to remain in power without any penalty for their actions. This course was utilized in some parts of the occupied territory. General George H. Thomas, controlling parts of Tennessee and northern Georgia, Alabama and Mississippi, recommended that all judges, sheriffs, commissioners and justices of the peace continue to perform their duties according to the laws of their state as it existed prior to succession. The national policy that ultimately emerged in May of 1865 closely resembled the third course of action, with provisional regimes until newly elected ones could be established.³⁸

President Andrew Johnson, after succeeding Lincoln, needed to define his plan for the reconstruction of the South, and he knew that the answer would lie between his stern military governorship of Tennessee during the war and the spirit of clemency and generosity of Lincoln. He could not simply withdraw military forces without the risk of the return to power of those who started the rebellion. He published two proclamations in May of 1865 that would direct the military response and planning for reconstruction and policing in the South. The first proclamation offered amnesty to most persons who aided the rebellion, provided they took an

³⁸ Ibid., 10-13.

oath of future loyalty to the government. The second proclamation appointed a provisional governor and a separate military commander for each state, with the task of registering all “loyal” citizens, conduct an election of a convention, ratify a new state constitution or make amendments to the existing one, elect new state officials and new federal legislators. Key to Johnson’s plan was that the appointed civilian governor was overall in charge of that state. The military commander was subordinate and responsible to aid the governor in carrying out his duties.³⁹

In conducting their constabulary duties and maintaining the inner stability of the occupied territory, the military commanders needed to develop their provisions and guidance for their subordinate commanders and troops on how to conduct their reconstruction operations. General Steedman, military commander in Georgia, developed numerous provisions to give his troops the doctrinal guidance that they lacked, and represents what most military commanders did. His provisions fell into five basic categories. The first category stated that the military was there to provide the provisional governor or his agents any military assistance that they may need to perform their duties. Secondly, the Army was to protect the rights of all citizens. “No citizen will be arrested upon the complaint of another citizen unless the accusation, supported by the oath of the complaint would justify the issuing of a warrant in time of peace.” Thirdly, the military aid was available to federal civil officers in performance of their duties, especially the agents of the Treasury Department who were collecting Confederate cotton. The fourth category dealt with aid to the Freedman’s Bureau and the plight of the freed slaves. Aid could be given to an agent of the bureau and an arrest made on behalf of an agent for the bureau. The fifth category of his provisions dealt with soldier discipline and ordered his men to refrain from committing depredations upon private property. The troops were to prevent insult or indignity to the national authority; they were cautioned to not be offensive in their dealings with the citizens.⁴⁰

³⁹ Ibid., 15.

⁴⁰ Ibid., 25-26.

It is necessary to know who these soldiers were that were conducting the occupation of the south. The white volunteer regiments were quickly mustered out of service at the end of hostilities. The regular, professional army, which was only about sixty thousand troops, was also busy protecting the sea coasts and external borders from foreign threats and settling the western territory and protecting settlers from the Indian threat. Making a difficult situation even more difficult was the large number of colored troops used to conduct constabulary operations in the South following the end of hostilities. Except for three regular regiments, these were all volunteer units recruited during the last years of the war in both the Northern states and the occupied South. Colored regiments were more willing to stay in service than their white volunteer counterparts who only wanted to go home. Most of the soldiers in the colored regiments had no other prospects of home or work and therefore benefited from staying and occupying the South. Of course, a greater degree of antagonism prevailed between the colored troops and the white citizens of the south than if it would have been white troops conducting occupation duty. Commanders were aware of this and were forced to employ their forces accordingly.⁴¹

Another aspect of the daily requirements of the constabulary was to win the “information” war which was fought in the newspapers following the defeat of the Confederacy. The military commanders did not take direct control of the newspapers, but used their provost marshals to enforce statutes passed by congress. Any hint of disloyalty in a journal or publication made it vulnerable to suppression of that specific information source. For example, General Reynolds cited two Arkansas papers for editorials advising voters to violate a state law passed in May, 1864 prescribing an oath to be taken by voters. The Little Rock *Gazette* escaped suppression, but the *Pantograph* was closed after its editor refused to identify the offending author. This was a fine line that the commanders needed to walk, as it was necessary to allow the

⁴¹ Ibid., 50-51.

freedom of speech to the local population, but also to show the dominance of the Federal government and the validity of the local governance at the same time. Other areas that the commanders allowed for the citizens to “voice” their opinions were in their ability to bring charges against soldiers and the right to file suite in court against the government for restitution for damages caused during the war.⁴² This provides the occupied with the necessary justice and reconciliation pillar needed when conducting constabulary operations. In their requirement to police the south along with the civilian police forces, General Grant issued General Order Number 44 concerning arrests that are made in the South. Grant ordered soldiers at all command levels in the South to arrest persons charged with crimes against “officers, agents, citizens, and inhabitants of the United States” where the civil authorities either could not or would not. The order did not envision military trials for such offenses, but rather to hold the individuals until a judicial tribunal was available and willing to try them.⁴³

Ultimately, it was clear that the Federal government was not going to dictate precise guidance on their view of the military and how the military should conduct daily operations in the occupied territory. It is also clear from the Reconstruction Acts that the Army was expected to execute some degree of supervision over the activities of the civil government and it was clear from preliminary orders that the commanders meant to do so. The exact ways and means varied from commander to commander, with each general prescribing different rules that applied to their specific administration problems. Probably the most systematic and thoroughly developed plan was that used in Virginia by General Schofield. He divided the state into fifty five areas and appointed for each area a “military commissioner”, which was ordinarily a captain or lieutenant, who was relieved of all other military duties to devote his time strictly to civil affairs.⁴⁴

⁴² Ibid., 54-55.

⁴³ Ibid., 73.

⁴⁴ Ibid., 120-121.

The right to vote is under the governance and participation pillar. Reconstruction required that eligible voters be registered, and this duty gave the Army its greatest headaches. The Acts left most details to the Generals, except for stating that local boards of registration should consist of three loyal citizens. Exactly what previous office holding and war-time activity was considered wrong? This was not spelled out in the acts or the guidance that was given to the commanders. Congress required that all of the prospective registrants had to swear that he had neither been an executive or judicial officer of any state before the war and then engaged in insurrection or rebellion against the U.S. or given aid or comfort to the participants thereof.⁴⁵

As each of the states was readmitted into the Union, the activities and civil duties of the Army were reduced. Citizens no longer faced military commissions for their wrongdoings; generals had no special orders over judges or the ability to shut them down for disobeying an edict. The Army's activities fell into three categories following the readmission of a state. The first was to aid in the enforcement of civil law, both state and federal. The second was to support the elections process, in order to prevent any type of disorder or violence. And third, when these elections resulted in an unclear or in multiple winners claiming victory, they prevented any type of political violence while the civil authorities resolved the election issues.⁴⁶

In 1867 the Army had the primary missions of defending the national borders, protecting settlers and campaigning against the Indian tribes in the Trans-Mississippi region, and carrying out Reconstruction. A primary feature of Reconstruction was that the Army officers did not draft the new southern constitution and the Army did not face residents of another nation or another culture. Six of the ten states were reconstructed between the spring of 1867 and the summer of 1868. The remaining states were reconstructed by 1870. Each military district commander sought to carry out his duties expeditiously, which would allow the Army to return to its traditional mission on the seacoast and the frontiers. By 1867, of the Army's sixty thousand

⁴⁵ Ibid., 128.

⁴⁶ Ibid., 213.

soldiers, twenty-one thousand were being used to manage ten million people in the south, or over one third of the total force.⁴⁷

During Reconstruction the U.S. Army carried out its responsibilities of military government as mandated by Congress. Their postwar responsibilities related to the numerous and various administrative and constabulary duties in the South from 1861 to 1865 and were associated with peacekeeping in the 1870s to the Posse Comitatus Acts passed in 1878. Combined with its occupying New Mexico, California and Mexico, and drafting laws and constitutions in the annexations that followed the U.S – Mexican War, Reconstruction gave the Army a considerable record in military government by 1870. It should not be forgotten here either, like in their occupation of Mexico, success relied in part on a population that was ready to comply or cooperate. This social stability is needed to implement reforms.⁴⁸

U.S. Occupation of the Philippines

Captain William Birkhimer wrote a book in 1892 to provide a guide on how to operate military governments based on experience in Mexico and the Reconstructed South for officers at the Army's Fort Leavenworth schools.⁴⁹ It was revised for a third edition in 1914, updating his treatise with the additional experience as an occupation force during and after the Spanish-American war. Still, the Army found it difficult to acknowledge that postwar military government, constabulary operations and occupation had become a part of its key tasks. The next step would be for the Army to incorporate the experiences into official doctrine.⁵⁰

The United States first attempted to govern a large Muslim population when they started to govern the Moros in the Southern Philippines, which the U.S. seized from Spain following the Spanish-American war. Between 1899 and 1903, the U.S. Army had the assignment of

⁴⁷ Dawson, 45-45.

⁴⁸ Ibid., 53-54.

⁴⁹ Ibid., 53.

⁵⁰ Ibid., 54.

establishing American control over the area. The American officers who were most responsible were Generals Leonard Wood and John Pershing. Both held the position of governor of the Moro Province. General Wood was from 1903 to 1906 and General Pershing from 1909 to 1913. Similarities between the two included economic and political development of the area as well as the use of Moro leaders in local government. They relied on diplomacy first to resolve disputes but believed the Moros would respond to diplomacy only if the U.S. demonstrated resolve to use military power. Resistance only became extensive after the provincial government imposed changes that were perceived as threats to their way of life, either the traditional laws or the disarming of the population.⁵¹

The U.S. mission in the Philippines was nation building. President William McKinley had no intentions of either preserving or creating a separate Philippine Nation. His position was that George Dewey's victory at Manila Bay had effectively shattered the Spanish government in the Philippines and "rendered it necessary to send an army of occupation to the Philippines for the two fold purpose of completing the reduction of Spanish power...and of giving order and security to the islands while in the possession of the United States."⁵² The motivation for the United States was not to advance their own benefits, but that of the Filipinos. Their goal was to provide freedom, governance, education, internal development and legal protection for the oppressed population. To achieve their goal, the military developed two key tasks. The first was the elimination of all conventional forces on the islands that would resist their governance, which was accomplished by 1899. The second, which occurred simultaneously as the first, was the

⁵¹ Charles A. Byler *Leonard Wood, John J. Pershing, and Pacifying the Moros in the Philippines: Americans in a Muslim Land in Turning Victory Into Success* (Fort Leavenworth, KS. Combat Studies Institute Press: 2004) 89.

⁵² Brian McAllister Linn *The US Army and Nation Building and Pacification in the Philippines in Armed Diplomacy: Two Centuries of American Campaigning* (Fort Leavenworth, KS. Combat Studies Institute Press: 2003) 77-78.

establishment of a military government to establish law and order over the population and suppress any armed resistance from them.⁵³

The establishment of the military government and the constabulary operations in support of that government in the Philippines highlights the importance of local commanders. The commanders had to be officers of character, initiative and humanity in the face of a guerrilla war. The U.S. policies were implemented by company grade officers who dealt with local populations and local leaders. These officers were scattered into hundreds of garrisons, isolated and surrounded by a population that was at best apathetic or at worst hostile. They had to establish order in the neighborhoods, lead patrols in the mountains and jungles, fight guerrillas and root out shadow governments that were corrupt and subversive. They were responsible for raising and arming irregular forces, establishing working relationships with local politicians, negotiating the surrender of local guerrilla chiefs, building intelligence networks, constructing roads, schools and medical facilities. They represented the U.S. in its promise of honest, effective and progressive governance.⁵⁴

Garrisoning of the island was an important part of the U.S. occupation and plan of developing the Philippines. Pacification was based as much on the occupation of hostile territory as upon active field operations. American troops occupied more than six hundred towns, imbedding themselves into Philippine society. Companies were stationed in one or two posts for their entire twelve to sixteen month tour of duty. This continuity had a number of important results. First, soldiers became familiar with the terrain, obstacles, guerrilla hideouts and seasonal effects on the roads. Secondly, by serving long tours in one location, the garrison was able to establish extensive local contacts to learn the language which improved communication, developed networks of spies and guides and to augment their manpower with Filipino paramilitary forces. These forces included police, armed guards and local militia. By building

⁵³ Ibid., 82.

⁵⁴ Ibid., 82.

these relationships, they were able to develop reforms that were important to their local population such as road networks, suppressing bandits and removing corrupt officials.⁵⁵

The integration of these civil and military duties in the Army of 1900 dealt with extensive administrative duties for the Philippine government. Until 1901 the commanding general was also the governor of the Philippines. Colonels served as regimental commanders and provisional governors. Lieutenants and captains led troops in the field and were town mayors, custom officials, police chiefs, tax collectors, civil judges, chief engineers and sanitation inspectors. These of course were not jobs that the military had specifically trained for prior to their arrival in the Philippines. They hunted the guerrillas at the same time that they were teaching schools, building roads, providing medical care and promoting religious tolerance. The uniqueness of these officers is that they were able to handle paperwork involved in running an effective government; they were not afraid to make immediate decisions, as they were isolated and were the representative of the U.S. government in remote locations. They also possessed immense people skills. American success in the Philippines depended on the willingness of the officers to accept these civil responsibilities and their ability to competently execute them.⁵⁶

The greatest threat to the constabulary force and stability in the Philippines was the threat from the guerrillas. The guerrillas used the population as a source of logistics, information, manpower and shelter. The Americans were forced to punish individuals and communities. Soldiers destroyed crops, farms, boats and livestock in areas suspected of aiding guerrillas or attacking U.S. troops. The sanctions were justified under military law, they reflected the conviction that “judicious application of the torch is the most humane way of waging war.”⁵⁷ Such measures imposed great hardships on both the guerrillas and noncombatants, but they proved effective in destroying the guerrillas’ resistance and winning popular acceptance of

⁵⁵ Ibid., 82-83.

⁵⁶ Ibid., 83.

⁵⁷ Ibid., 84.

American rule. The fight against these forces utilized new organizations and tactics for the Army. These involved the Navy and the Army conducting amphibious operations. These Joint operations gave the Army the ability to land anywhere and strike the guerrillas along the coast where they thought they were safe. The Navy was also able to conduct a blockade of the occupied ports, ending inter-island black market trade and communication between the rebels outside support, eliminating the threat of a regional struggle from becoming a national revolution. The Army used innovation to defeat the insurgents. The tactics that they were trained in were designed for European battlefields but the Americans adapted them to fighting in the jungles, mountains and rice paddies. One threat might be small groups of snipers, primitive head-hunters or a horde of machete-wielding religious fanatics or it might be tribesmen who fought behind stone fortresses and practiced ritual suicide. With American flexibility, small unit cohesion and leading from the front, officers and noncommissioned officers proved sufficient to overcome these challenges.⁵⁸

In all wars, intelligence and intelligence gathering is vitally important. When conducting constabulary operations in a land that has a different culture and a different language, it is even more important. Army intelligence at the time was a small cell that consisted of one or two officers and a few translators with unclear priorities in their duties. Initially, the Army relied on the social upper-class of the Filipino collaborators who tended to tell them what they wanted to hear. In 1900 the intelligence was reorganized under the division of military information which not only translated documents but also was responsible for relaying vital information to the field units. The most productive intelligence came from local town and provincial officers. In creating the civil governments or police forces, in auditing the town finances or in making alliances with

⁵⁸ Ibid., 84.

town counselors and clergy, the officers were able to eliminate shadow governments, arrest guerrillas posing as “amigos” and secure hidden weapon caches.⁵⁹

Keeping pressure on the guerrillas and shadow governments meant that the Army had to maintain its constabulary forces in the field for long periods of time. While the logistics are considered insufficient by today’s standard, they were very good for the time. The ability to support the soldiers in the field allowed the commanders to keep sixty to seventy percent of its manpower in combat formations rather than in support formations. Filipino guerrillas who managed to avoid defeat in battle against the Americans often had to surrender because of starvation and disease. Their inability to sustain themselves because of the pressure on their sanctuary locations and U.S. forces in the field directly led to their defeat.⁶⁰

The size of the U.S forces in the Philippines at its peak strength was about seventy thousand troops. This number was usually no more than 45,000. The average rifle strength because of transfers, detached duty and sickness was about 26,000 men, who had to occupy, pacify and administrate almost eight million Filipinos. To maintain that control, the Americans relied on the Filipino auxiliaries that they raised. They utilized these forces for logistic support, to act as scouts, as police forces working with the constabulary and finally as armed units or militias. The number of scouts working for the constabulary would reach 15,000 men by the end of the occupation. By the end of 1905, locally raised forces executed most military operations in the Philippines.⁶¹

The constabulary operations in the Philippines provide five essential lessons for the U.S. Army. It is a complex case study that does not fit neatly into either conventional warfare or peacekeeping operations, but rather something in between and at times both. The first lesson is that the guerrilla is not invulnerable. They are often disunited and divided. They have difficulty

⁵⁹ Ibid., 84-85.

⁶⁰ Ibid., 85.

⁶¹ Ibid., 85.

sustaining popular support, and often suffer from either military or politically inept leadership. Time can be just as important to the guerrilla as it is to the occupying force. If the guerrilla is not producing results in a time that is acceptable to the population, it will lose their support. The second lesson is that in a struggle that is basically won or lost at the local level and a struggle for control at the local level, the importance of the local commander, both American and insurgent, can not be over emphasized. Early and constant integration of civil and military activities is a must to ensure that both maintain the same goal at the local level. Central government issues often get the most attention, but the local issues are more important. Third, it is important to establish early the judicial and reconciliation system pillars to give the population a legitimate system to express themselves and receive compensation for perceived deprivations. It is equally important to instill the discipline into your soldiers to avoid inappropriate treatment of the local population. Punitive and retaliatory policies must be controlled. It is natural for soldiers to want to take retaliation for atrocities against them in a guerrilla fight, but this will lead to accidental or deliberate physical abuse, property destruction or death. Punitive measures can be both effective and detrimental and must be analyzed constantly to determine their effect. Additionally, the rules of engagement must be realistic and empower the constabulary force to achieve their mission. The fourth lesson is that there must be a local auxiliary force raised early to augment and eventually replace the American constabulary. It is difficult but necessary to accept the fact that their behavior and culture may be different than the American culture. Finally, it is imperative that officers and noncommissioned officers study multiple cases of guerrilla, revolutionary, insurgent and unconventional warfare to learn how to defeat these threats.⁶²

The study of General Wood and General Pershing operations specifically against the Moros in the southern Philippines provide three additional lessons for employment of a constabulary force to stabilize a country from internal disruptive forces. The first lesson is that

⁶² Ibid., 87.

efforts to improve the daily lives of the local population helped to increase U.S. support. This improvement did not have to be large gains, but rather steady, daily, visible improvements such as road construction and medical care availability. The second lesson is that the attempt to change culture and customs will create opposition. Cultural norms in these places such as slavery, their traditional legal code based on religion, and the culture of the rifle may need to be replaced to achieve the overall national goal for a country. Tantamount to achieving these cultural changes is the need to conduct an extensive information campaign to inform them why these changes are needed to improve their security, governance, socio-economic well-being or judicial system. The final lesson is that the pure and overwhelming application of force against actual or perceived challenges of authority has the potential of not achieving the desired effect. Sweeping and indiscriminate use of force has the potential to increase rather than diminish disorder.⁶³

U.S Constabulary Operations in Germany

At the beginning of World War Two, the Army War College committees reviewed World War One reports of German occupation and developed formal army doctrine for military government. In the spring of 1942, a School of Military Government was established at the University of Virginia, beginning the thought process for postwar reconstruction of Germany. Eventually the college produced Operations ECLIPSE which was the basis for that occupation. The success of this operation shows the importance of a long and detailed plan far in advance of the start of occupation of a territory.⁶⁴

The Army needed to create a new constabulary force that was trained and organized to conduct stability operations. Their success stemmed from its orientation on a unique operational environment, the attention given to soldier training, emphasis on accountability of those soldiers

⁶³ Byler, 101.

⁶⁴ Conrad C. Crane and W Andrew Terrill, *Reconstructing Iraq: Challenges and Missions for Military Forces in a Post-conflict Scenario* (Carlisle, PA.: Strategic Studies Institute, 2003) 13.

and officers, and the overall adaptability of the force. It was able to transition from combat to peace operations and back to combat as needed. To develop this successful and adaptive plan, the planners needed to look at what was known and what was unknown and develop a course of action that would be feasible and acceptable to achieve the commander's intent. They knew that they would be responsible for an area that was over 40,000 square miles, contained over 16 million Germans and had no working infrastructure. What they did not know was the amount of support the former Nazi regime maintained, how much civil resistance there would be to the occupying force, what underground activities would occur in their sector, if there would be any civil uprising due to food or other shortages, and the size of the force required to maintain such an area. Methods available to conduct constabulary operations ranged from large scale occupation to creating a special mobile police force to conduct security operations.⁶⁵

In 1944, the European Theater Command recommended a specially organized and trained police force that was created from units that were immediately available and would require the minimum training. This force became the District Constabulary and was a trial run of the constabulary concept. The command made several planning assumptions in the development of this force. The first assumption was that the German population would remain largely passive. The second is that the only troops they would have to use were the current troops in theater. They also assumed that these troops would support local law enforcement rather than be the only law enforcement agency. They would be given a specified district to operate that would facilitate the learning of the nuances of that area and would help build relationships. They would be required to conduct search and seizure operations as well as handle internees, displaced persons and prisoners of war.⁶⁶

⁶⁵ Robert Cameron, *There and Back Again: Constabulary Training and Organization, 1946-1950* in *Armed Diplomacy: Two Centuries of American Campaigning*, (Fort Leavenworth, KS.: Combat Studies Institute Press, 2003) 115-117.

⁶⁶ *Ibid.*, 118.

In November of 1945, the European Theater Command issued detailed guidance based off of the lessons from the District Constabulary that would create a special police force that relied on mobility rather than mass. It would operate in fixed patrol areas using dispersed operations, which lent itself to the model of a cavalry reconnaissance squadron. The command assumed that their force would not be required to conduct operations outside of the American zone, that the German people would not conduct an uprising, and they would rely heavily on German police organizations. In reality the constabulary was backed up by three infantry divisions if a large outbreak of violence did occur. The command then took from November of 1945 until July of 1946 to organize and train the constabulary. Unit TO&Es were created. Once these were created, the personnel and equipment to fill them were identified. The personnel then needed training as well as the commanders and leaders of the units identified and trained. The training included the development of a special school by Major General Ernest H. Harmon, who led the development of the training program, the selection of instructors and a program of instruction. He took command of the constabulary force in February of 1946 with the conversion of the VI Corps headquarters to the Headquarters, U.S. Constabulary. The constabulary formally assumed the security mission on July 1, 1946 with 38,000 soldiers organized into three brigades, nine regiments, and twenty-seven squadrons. The estimate used by the theater command to determine the size of the constabulary was one constable per four hundred fifty Germans. Each maneuver unit was responsible for approximately two hundred twenty five square miles.⁶⁷

⁶⁷ Ibid., 119-121.

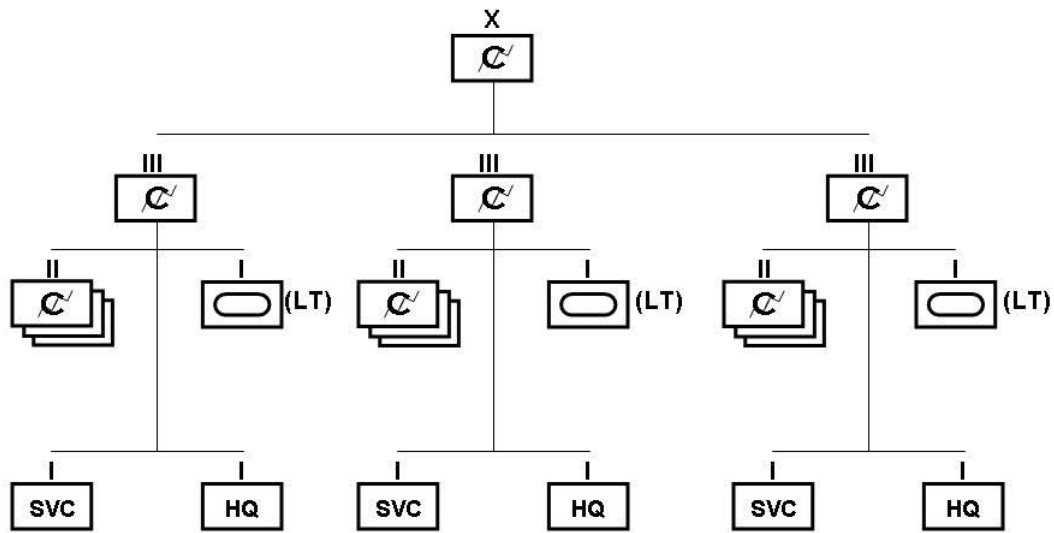


Figure 1. The U.S. Constabulary Brigade⁶⁸

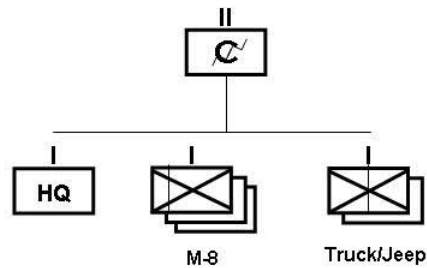


Figure 2. The U.S. Constabulary Squadron⁶⁹

The core mission of the constabulary consisted of five key tasks. The first task was to maintain the general security of the American zone. The second task was to support the military

⁶⁸ Kendall D. Gott, *Mobility, Vigilance, and Justice: The US Army Constabulary in Germany, 1946-1953*, (Fort Leavenworth, KS: Combat Studies Institute Press, 2005) 13.

⁶⁹ Ibid., 13.

government and assist in the accomplishment of their objectives. The third was to be proactive in their measures against the development of riots, rebellion and acts that were prejudicial to U.S. forces security. The fourth task was to cooperate with the military police, the Intelligence Corps and other military government agencies. The fifth was to support the German police forces without negating or reducing their validity. Key to this and all constabulary operations is the involvement of the local population, local police forces and the sharing and gathering of intelligence between the agencies, the constabulary and the German police forces.⁷⁰

The most important part of the establishment of the constabulary force and their ability to execute their mission and tasks with both the military government and the German police forces was the training and education of the force. MG Harmon established a three phase training program. The first phase was the initial organizational and individual training. The second phase was the organizational and unit training. The third phase was the operational training and assumption of responsibilities, which required all units to participate in at least one operational and one command post exercise (CPX) to be a qualified constabulary unit. The basis of the individual trooper training relied on the *Trooper's Manual* which provided the mission, jurisdiction and fundamentals of police procedures to all troopers. It was written by Colonel J.H. Harwood, a former state police commissioner for Rhode Island and was written specifically for soldiers.⁷¹

Success of the first phase of constabulary training relied on the establishment of the constabulary school at Sonthofen, Germany in January of 1946. Eventually, the school would produce almost 1000 trained officers and men per month. The field grade officers took an abbreviated course that lasted only 5 days. The company grade officers and enlisted men took the full 4 week course with a specialization for the enlisted men in communications, investigation or

⁷⁰ Cameron, 122.

⁷¹ Ibid., 123.

desk and records.⁷² It was neither resourced with supplies or personnel, but filled with personnel who were in theater and possessed both experience as instructors at other military schools and also had operational experience in the war. The first class started in March 1946 and focused on building a nucleus of personnel that would return to their units and train the unit in constabulary operations, a train the trainer program. This initial attempt at the development of a POI was simply the best guess at the time. It offered a course in German history and culture, police procedures, tactics, maintenance and soldier conduct. Changes to the POI were implemented as new or different needs were identified. The biggest change was the increase to the instruction on police procedures and activities. The Constabulary was not only responsible for the training of the individuals. It had to create this force in six months to meet its operational timeline commitments and the drawdown of forces from the European Theater of Operations. It was responsible for the transformation of combat units into constabulary units and the transformation of those soldiers who were unfamiliar with the constabulary mission. Adding to the troubles of establishing this new force was the physical destruction within Germany and the lack of adequate permanent housing for the local population and the occupying force. Many units were forced to live in one location and patrol another due to the lack of facilities. Finally, a majority of the soldiers that were available for constabulary operations were not war veterans, but rather conscripts who possessed low intelligence, were illiterate and undisciplined. These problems, especially the discipline would pose the greatest threat to the constabulary's effectiveness from the beginning.⁷³ To ensure that the constabulary force could maintain quality in its troopers, efforts were made to instill pride in all of its members. The idea of volunteering for a high profile, very distinguished unit was the first step taken by the command to promote the desired image. Soldiers were offered a higher rate of promotions and ratings with successful service in

⁷² http://www.geocities.com/usconstabulary/MilRev_Mar1947.html?20066; Internet; accessed 07 January 2006.

⁷³ Cameron, 125.

the constabulary. They wore a distinctive patch and uniform to emphasize the aspects of constabulary duty. The command also rotated units on a monthly basis to avoid trooper burnout and complacency as well as to conduct training.⁷⁴

With a trained and motivated constabulary force in place, the command was ready to execute its mission. They wanted to maximize presence throughout the zone by conducting vehicle, foot, horse, and aerial patrols of the urban areas, road ways, borders and remote areas. They utilized the traditional occupation force as a tactical reserve, showing presence but allowing the constabulary to conduct day to day operations with the local government. The intent of the commander was to provide the maximum number of patrols throughout the American zone. He also wanted to control the movement across the international and inter-zonal frontiers. When needed, he would augment his forces with the tactical reserve.⁷⁵ Particularly challenging to the military government was how to dismantle the Nazi party while retaining the skills of some members who performed important functions in the local government. Every adult German was required to fill out a questionnaire about associations with the Nazi party. There were heavy penalties for lying or failing to answer questions. People were identified that deserved to be denied political and economic rights during the occupation.⁷⁶

The constabulary paralleled the civil and military government geographic organization. It also maintained close ties with American intelligence and other inter-agency entities as well as with the German police, incorporating them into daily activities of patrolling and other operations. One of these operations was a show of force to deter criminal activity and violence. Another was the border patrol to check vehicles and mass personnel checks at DP camps to identify criminal activity and contraband. They also conducted search and seizure operations that targeted the black market operations. These operations were primarily driven off of the

⁷⁴ Ibid., 126.

⁷⁵ Ibid., 127.

⁷⁶ Crane, et al., 14-15.

intelligence gathered by the host nation. And of great importance to the constabulary was the monitoring of American conduct in the American zone, ensuring that drunk, disorderly conduct or harassment of Germans by Americans was not tolerated.⁷⁷

The development of the constabulary force and its subsequent missions revealed several trends and issues that are applicable to all constabulary operations. Fixed checkpoints are easily by-passable. This requires an increased number of vehicle patrols and constantly changing locations so the constabulary does not establish a pattern to their operations. The wide dispersment of troops into small sections and squad elements is taxing on an officer's ability to supervise and command. It requires the constant spot checking of troops and leaders through unannounced inspections. Incompetent leaders need to be relieved and replaced quickly with competent leaders. Rotation of units is necessary to avoid burnout and to maintain training in both constabulary and combat operations. Forces need to focus their efforts around the urban areas and known trouble spots rather than trying to blanket an entire zone with a small force.⁷⁸

A constabulary force then needs to be developed within finite mission parameters; there is no intent for it to remain in a territory indefinitely. It must be given clear jurisdictional guidance as to what it can and cannot do and who it is specifically working for and with. The force must have focused training for the area that they will be operating in, to include historical, cultural and language training, in addition to police training. Discipline must be emphasized in all operations. Properly executed operations conducted by disciplined soldiers will build respect among the local police and population. The force must also be built around an experienced base of officers and noncommissioned officers. As the force is built for stability operations it does have limitations in other missions and would require additional training or augmentations to

⁷⁷ Cameron, 128.

⁷⁸ Ibid., 130.

conduct full spectrum operations. Because of this, it needs to be remembered that the best quality of the organization is not that it has multiple purposes, but rather its flexibility.⁷⁹

The uniqueness of the Army and its role during reconstruction in the South following the Civil War from 1865-1877 largely went unnoticed by the military academic in determining the future force and doctrine that would be required for the Army to implement and win national objectives. The Army would again and again undertake the task of military governance in occupied territory in the Philippines at the end of the century and in Germany following World War Two. Past constabulary operations identify some important lessons in mission, scope and organizational training and requirements. But just as not all of the same factors that applied in Mexico in 1847 could be used solely for Reconstruction, different factors also applied to the operations undertaken in 1900 and 1945. Lessons from all of these operations must be analyzed and held in the correct historical context when compared to the contemporary operating environment to see what is still valid and may be used in future constabulary operations. The cotton used to pay for reconstruction in the South after the Civil War or the three courses of action that the Federal government could take with the former Confederate officials are examples of how lessons of what worked in the past can be applied to contemporary problems. The oil that is sold from Iraq that is being used to pay for the cost of reparations and reconstruction and the options that were available to the Coalition with former Ba'athists have roots in our past.

⁷⁹ Ibid., 135.

OPERATION IRAQI FREEDOM

Combat operations began on March 23, 2003 as Operation Iraqi Freedom (OIF) was executed by U.S and Coalition forces as part of the Global War on Terror (GWOT). Brigadier General Vincent Brooks, the deputy Director of Operations during OIF, stated on April 11, 2003 that “At no point do we see [the U.S. military] really becoming a police force. What we see is taking [military] actions necessary to create conditions of stability.”⁸⁰ What was happening on the ground as the war progressed was not what was planned for. The development of the Combined Forces Land Component Command (CFLCC) major operations plan for Phase IV was done in parallel with Central Command (CENTCOM) campaign plan, 1003V. It consisted of five efforts over an eighteen month period prior to the war ranging from one corps seizing the southern oil fields to two corps removing the regime and restoring stability. This plan stated that there would be a relief in place of the CFLCC after some period of unspecified time in the campaign of responsibility for operations in Iraq by a successor headquarters, initially unnamed, but eventually it became the Combined Joint Task Force Seven (CJTF-7).⁸¹

This operation plan was named COBRA II, tracing it’s lineage to Operation COBRA conducted by the U.S. Constabulary force in Post World War Two Germany. Important assumptions were made with this plan to fill voids where the facts were missing but required to continue the planning and execution process. Unity of military command and unity of effort with the coalition government agencies, the international agencies and nongovernmental agencies were the first two assumptions. The next three assumptions prove to be ones that when proven false, were not identified or acted upon to implement a branch or sequel to negate them. The first is that the CFLCC will utilize existing Iraqi organizations and administrations. The second is that

⁸⁰ www.centcom.mil/centcomnews/transcripts/20030411.htm; Internet; accessed 22 November 2005.

⁸¹ Kevin C.M Benson *Phase IV CFLCC Stability Operations Planning in Turning Victory Into Success* 179-181.

before the regime collapses, V Corps and I Marine Expeditionary Force (MEF) would exercise military authority in the wake of combat operations and their subordinate commands would engage with and utilize existing Iraqi provincial administrations. Thirdly, following the regime collapse an interim authority is established that interfaces with the Iraqi ministries. Finally, stability operations are only conducted within the CFLCC zones and after the regime change, the battle space would reorganize to include all of Iraq. Their Phase IV was planned to begin after the seizure of the entire country and complete regime change, however, it officially began with the seizure of Baghdad and the declaration of regime change complete.⁸² The last planning assumption that proved false was that the Time Phased Force Deployment List (TPFDL) would continue until its completion. Policy makers ultimately negated the plan of the CFLCC by invalidating these four assumptions. The Organization for Reconstruction and Humanitarian Assistance, and later the Coalition Provisional Authority, were not involved with the planning of the Phase IV by the CFLCC planners. Their actions to disband the Iraqi Army and then implement their de-baathification are the beginning of the rift between capabilities to occupy and reconstruct and the ability to execute these missions.⁸³

Planning Versus Execution

The options for the planners in planning for Operation Iraqi Freedom consisted of a heavy option and a light option. The light option did not address the possibility of meeting stiff resistance by the Iraqi Republican Guard units in Baghdad. It also did not address the large number of troops required in a post-conflict occupation of Iraq if some of the assumptions proved false. The operations plan offered by CENTCOM as a heavy option included a large scale ground force invasion, but it did not receive the Department of Defense civilian leadership or White House advisor support. Their concerns were with the reliability of regional support within

⁸² Ibid., 182-183.

⁸³ Ibid., 185-189.

the Persian Gulf for the staging areas and the length of time required for the deployment.

CENTCOM's plan did employ a force considerably smaller than the ground forces employed during the 1991 Desert Storm Operations, and reflected the assessment that the Iraqi forces were neither as numerous nor as capable.⁸⁴ This would hint at the possibility that the success of the coalition was going to be even greater than during the previous conflict.

The planning still primarily focused on the kinetic aspect of the conflict, and not on the longer problem of occupation, reconstruction and stability. The model that was used by the U.S. for post war reconstruction in Iraq was one led by the Department of Defense (DoD) with only a small coalition. This organization was capable, but untested at planning or carrying out post-conflict reconstruction operations. The reason they chose a DoD and not an interagency approach to reconstruction is that it allowed them to plan and implement a military-centric operation. They then created an office to oversee reconstruction, humanitarian and civil administration efforts in Iraq, which became the Office of Reconstruction and Humanitarian Assistance in January of 2003.⁸⁵

ORHA, as it came to be known, was created two months prior to the war and did not incorporate State Department planning that was started in the summer of 2002. Their focus was on the expected humanitarian and reconstruction needs that they somehow believed was the greatest requirement post regime change. But its office lacked the personnel with either experience or language and cultural skills they would need once they did arrive in Baghdad. Their planning assumptions, which did not match the military assumptions, although they were both DoD organizations, consisted of five assumptions. Their first is that they would be prepared and focused to handle the massive humanitarian emergency in Iraq, which never happened. Secondly, the coalition military would be warmly received and welcomed as a liberation force

⁸⁴ Steve Bowman *Iraq: U.S. Military Operations* Congressional Research Service Report for Congress (Washington, D.C.: 2005) CRS2-3.

⁸⁵ Bathsheba N. Crocker *Going It Alone, Gone Wrong in Winning the Peace: An American Strategy for Post Conflict Reconstruction* (Washington, D.C.: CSIS Press, 2004) 263-267.

and not an occupying force. The third assumption underestimated the requirement for postwar security and its challenges. When they arrived in Baghdad and established themselves, they did not continue the TPFDL to ensure that they had all of the forces required to conduct their constabulary operations. Fourth, they assumed that the Iraqi military and police forces would remain intact and be used for post-conflict law enforcement, security and rebuilding. Finally, they overestimated the ease of the restoration of basic services due to the lack of current knowledge of the systems in Iraq.⁸⁶ ORHA was inefficient and was replaced by the Coalition Provisional Authority (CPA) by May of 2003. CPA, also a DoD agency which was not involved in any planning prior to the war, quickly dismantled the Iraqi army and declared de-baathification of the interim government and all Iraqi ministries. For the next year, CPA would run the reconstruction operations in Iraq. They declared the successful accomplishment of their mission on June 30, 2004. Their achieved end state was an Iraq that was a fully sovereign nation. Over the course of CPAs fourteen months of existence, it focused on helping Iraqis build four fundamental pillars for their sovereignty: security, essential services, economy and governance.⁸⁷

Their security pillar dealt with both the internal and external security of Iraq. They built defense and police forces and a legal framework for the security forces to operate in Iraq. The governance pillar gave the sovereignty to the Iraqi people. It created the Governing council in July, 2003. It then created the Interim Iraqi Government in January, 2004. The essential services pillar dealt with the infrastructure, oil production, food security, water and sanitation infrastructure, healthcare quality, improvements to the transportation infrastructure, communication infrastructure, education and housing. The fourth pillar, economy, focused on building a market based economy in Iraq.⁸⁸ What CPA relied on to implement these pillars was a

⁸⁶ Ibid., 267.

⁸⁷ *CPA: An Historical Review of CPA Accomplishments* (Baghdad, Iraq: 2004) 2.

⁸⁸ Ibid., 3.

military that was trained in combat operations and not one that was prepared to conduct constabulary and reconstruction operations.

Analysis of Planning for OIF

The most important pillar is the security pillar. The military was unprepared for the security vacuum created after the conflict. The cause of the size of this vacuum is unknown. The mass looting led to several longer term security problems. The CPAs efforts to restore basic services and oil production were and are constantly sabotaged by insurgents and criminals. This sabotage became a guerrilla war focusing on the killing of U.S. soldiers initially, and then anyone working with the U.S., such as coalition forces, Iraqi security forces or police and contractors. Arms, equipment and fighters freely moved across Iraq's open borders. Lack of planning for the security effort has affected all other aspects of reconstruction. Without a large enough security force identified for post-conflict constabulary duties, the U.S. combat forces were required to execute these duties at the same time that the DoD was announcing that the U.S. military "does not do policing" and that it was up to the Iraqis to police themselves. CFLCC needed a plan in place in case their assumption on the involvement and ability of the Iraqi forces proved invalid. Once it became clear that these forces had either ceased to exist or were unwilling to work with the coalition, CPA tried to implement several ideas to raise Iraqi forces. But high expectations were placed on these reconstituted and retrained security forces, police, Iraqi Civil Defense Corps, New Iraqi Army soldiers, facility protection guards and border guards. They ultimately proved to be untrained and inadequate for their early and rapid integration into the security plan. The Coalition also missed an opportunity to improve their intelligence networks by cutting themselves off from the Iraqi people by creating large forward operating bases that were heavily guarded and removed from the population.⁸⁹

⁸⁹ Crocker, 268-272.

The coalition military forces made considerable progress early under the governance pillar. It was proactive in setting up municipal, neighborhood advisory council (NAC), district advisory council (DAC) and provincial political councils throughout Iraq by the military. Yet the councils were largely ineffective because their role and relationship with the central governments that were being established by CPA in Baghdad, was unclear and they were not given resources to respond to the demands of the citizens. The CPA did not decentralize itself out of the Green Zone, due in part to the security dilemmas. This required the U.S. military personnel, who were not trained to do so, to carry out political, social and economic transformation tasks in their areas. They lacked knowledge and experience and needed the help of practiced civilians from other governmental agencies.⁹⁰

The results under the social well-being pillar are not much better. The frustration that continues with the availability of power and its affect on other basic services such as water and oil production continues to grow. Iraqi anger has highlighted the need to plan for and immediately address basic needs such as power, water and sanitation in post-conflict situations, so that the population can feel some normalcy or improvements in their lives. U.S. private contractors were given the responsibility for most services along with the Army Corps of Engineers. These contractors did not necessarily have any post-conflict experience, or the required political cultural and language training or skills that other organizations would have had. It was also more expensive than allowing Iraqis to perform these functions. The U.S. also used contractors to conduct military logistic, security operations and intelligence operations, which resulted in a less regulated and more controversial situation that assisted the insurgency as much as the coalition.⁹¹

The last pillar of constabulary operations is the justice and reconciliation pillar. A functioning justice system is critical to a democracy. Military forces, with little civilian help,

⁹⁰ Ibid., 275.

⁹¹ Ibid., 277-278.

faced a daunting task, as all of Iraq's prisons and most of its courthouses were badly looted in the war's immediate aftermath. Records were missing, prisoners had been released by Saddam and the Iraqi police had vanished. The military lacked the resources and experience to perform all the necessary tasks, which included repairing the buildings, paying salaries, modernizing courts, training judges and lawyers. The United States placed an enormous expectation on the Iraqi police as one of the keys to stabilizing the security situation in Iraq. But they did nothing to ensure that they would remain in place and relevant to the coalition's needs. Training efforts were insufficient. Six months into the occupation, coalition military forces were still responsible for training and overseeing the newly trained Iraqi police force.⁹²

The attitude of the Iraqi population remains the key element to stabilizing Iraq, and depends on a variety of factors. The extent of the damage and repair to the infrastructure and economic opportunities, the demands of ethnic and religious groups and the speed with which a legitimate government can be established are a few of those factors. Though initially a short-term occupation was anticipated, it is now believed the occupation will last many years, barring the request by the new government for coalition troop withdrawal.⁹³ The Iraqi military and security forces can act as a unifying force under certain conditions. In a highly diverse and fragmented society like Iraq, these forces are one of the few national institutions that stress national unity as an important principle. Conscripts are encouraged to rise above parochial loyalties and may be stationed in parts of the country far from ethnic clansmen. The initial assessment to dismantle the army and other security forces led to the destruction of one of the only forces for unity within this society. It also increased the number of demobilized soldiers that were unemployed and eventually affiliated themselves with local militias or insurgents.⁹⁴ The constant potential for attack by insurgents has affected the pace and mode of reconstruction and stabilization

⁹² Ibid., 279-282.

⁹³ Steve Bowman *Iraq: U.S. Military Operations* (Washington, D.C., Congressional Research Service Report for Congress: 2005) CRS-6.

⁹⁴ Crane, 32.

operations. Troops must constantly be prepared for a hostile environment, yet avoid actions or incidents that erode popular support. There are also constant attacks on the infrastructure that hinders efforts to restore basic services. The attacks on the oil infrastructure affect the funding of the reconstruction programs in other locations as well. The increased recruitment of Iraqi security forces is necessary to try to deter these attacks and protect the vital infrastructure. These attacks have affected the focus of the military and the United States away from the success in Iraq and onto issues such as the fielding of armored HMMWVs and Small Arms Protection Insert/Interceptor Body Armor (SAPI/IBA) to protect the soldiers conducting these operations.⁹⁵

Within twenty-five days of offensive operations, coalition forces had control of all major Iraqi cities. CENTCOM pursued a strategy of rapid advance, by-passing urban centers when possible, pausing only when encountering Iraqi resistance. But Iraqi paramilitary forces, specifically the Saddam Fedayean, engaged in guerrilla attacks from urban centers in the rear areas. This caused CENTCOM to focus more attention than anticipated to protecting extended supply lines and securing these urban centers such as Nasiriyah and Najaf. Commanders expressed their confidence in the adequacy of their force structure in theater, the attacks in the rear and the length of the supply lines suggest that insufficient ground forces were in place to continue the offensive and conduct the constabulary, reconstruction and security operations simultaneously. This overconfidence has been attributed to the reliance on precision air power and the curtailment of more ground forces in accordance with the TPFDL.⁹⁶

Iraq is a state with an established infrastructure, unlimited potential of oil income and wealth, an educated middle class and a lot of social discipline. Successful occupation in any scenario requires time and resources. The most essential task is security. This task starts with a

⁹⁵ Bowman, CRS-7.

⁹⁶ Ibid., CRS 3-4.

large number of troops initially on the ground but then relies on the establishment of local military, police and constabulary forces to truly build security.⁹⁷

⁹⁷ Stewart, 280.

CONCLUSIONS AND RECOMMENDATIONS

Full spectrum operations really mean the ability to conduct post-conflict operations simultaneously with all the other operations. This includes the implementation of stability or security measures and the immediate initiation of reconstruction of the occupied territory. This idea requires the transformation of our forces and how we plan, organize and conduct combat and post-combat operations. Planning for post-conflict must be conducted in parallel with war planning. The commander must consider the value, risk and cost of attacking any vulnerability or strength of the enemy and the actual physical destruction or neutralization of enemy structures or organizations. Success in post-conflict operations is entirely dependent on capabilities the commander needs during and after conflict that are necessary to ensure that order is maintained and essential services are operational to promote a feeling of normalcy for the affected population.

Commanders need a separate unit that is capable of planning and executing stability and reconstruction operations alongside the combat forces and in conjunction with those forces. All units need to be trained in basic constabulary and nation building tasks, but the U.S. Army needs a unit that is specially trained to conduct these operations. Airborne and air assault operations last normally about 72 hours. The Army maintains a division specially trained for each of these missions. Constabulary and nation building operations last for years; therefore at least two division size units should be added to the existing Army force structure. This unit should contain some combat forces and combat capabilities to handle the low level hostile actions that typically occur during post-conflict operations. They will need the ability to suppress or defeat any resistance to the establishment of the new local government or interruptions to U.S. support operations. The population, length of lines of communication, culture and religion will drive the commander's requirements for the size of this security force, but a contemporary combat force

that is trained in guerrilla, counterinsurgency and policing operations is a necessity to defeat these groups should they arise. Whether it is Mexican guerrillas, Klu Klux Klansman in the South, Moros in the Philippines, criminals in Germany or Maqtada Militia in Iraq, the U.S. military has always faced a guerrilla or insurgent that affected their lines of operations and their ability to provide a secure environment. They also need, within this unit, specialized training on the raising and support of local police forces. Throughout history, the local authorities have proven to be the best at catching the local criminals and disruptive elements, especially in a culturally or religiously closed society such as the Philippine population or the Muslims in Iraq.

With the security issue addressed, the commander then needs an organization within his unit that is organized and trained with the right personnel to deal with the social and economic issues that he will need to address. He must have authority over these units to ensure that what they envision and he envisions is the same. For this reason, a separate nongovernmental organization or international organization is not necessarily the right fit. What he needs is an organization that is capable of conducting civil planning and engineering in less established parts of the world. The Army Corps of Engineers can fill some of these roles, with a mindset away from taking a long time to get the perfect answer, to one of getting an adequate answer quickly. It also includes the recruitment of civil engineers with specialties in power generation, transportation, sanitation, and communications as well as the training and education of the indigenous authorities to empower them to operate their own infrastructure. The military needs to purchase the collaborative planning tools that will allow them to work with foreign and international agencies to improve infrastructure. Commanders need to remember that the answers can not be purely technological. If technology replaces the labor requirements, he has now created a situation of unemployment that may affect the security and stability in his area. An improvement in the healthcare of the indigenous population needs to be provided by the military. BCTs are not equipped with medical care that is robust enough to support anything beyond the

BCT. What they need is the capability to support with specialist the host nation assets and augment them with a reach back capability to other organizations.

Local governance also needs to quickly be established to take over the local security administration as well as oversight and resourcing of the infrastructure needs to improve the social and economic well-being of the population. Some of the organizations this includes are the police, firefighters, well-being, social services and the judicial system. The best agent for change and understanding what the situation is in a specific area is the local commander and the local population leader. Cultural, language and religious specialists must be incorporated into army formations that can inform the commander and assist him in the development of the local government. In addition to these specialists, the commander will need an organization that is capable of assisting the local leader in the establishment of a judicial system. This will require expertise in the rule of law and the establishment of a penitentiary system. It will also require expertise in the running of elections and the establishment of a political system. With the establishment of a judiciary system within the local government that is duly elected, the commander has given the local population the ability to participate in an elected government, use a recognized legal system to address their concerns and receive compensation for offenses while their social and economic needs are being addressed within a secure environment.

Commanders must be empowered to think and act in a decentralized environment. This local familiarity also requires that leaders and soldiers can not be rotated quickly. Within these village and tribal communities, relationships are the most important and take a considerable amount of time and effort to develop. The army would have to accept a decline in the combat capabilities of its combat formations in order to occupy these areas for the required amount of time. The troops would also have to have special training to recognize the local cultural values and edicts and not force American values onto the culture that might receive pushback from the local leaders. Therefore, if an organization contained its own security force, the combat units

would not be tied to these constabulary and reconstruction operations and would be able to focus on their primary combat operations.⁹⁸

All of the elements of the constabulary and reconstruction unit must train and exercise together on a constant basis, not just at a mission rehearsal exercise or meeting for the first time in country. Individual and leader training should focus on critical skills such as negotiations, small unit decision making, interaction with U.S. interagency, nongovernmental agencies, foreign militaries and the local population. These tasks can be built around the security, governance, social and economic wellbeing, and justice pillars and are listed in Appendix A.⁹⁹ Professional military education must change the cultural mindset within the military to broaden its intellectual base. The first step to achieve this is the recognition and demonstration of the importance of these operations to the national security. The Army must also adapt current military technology and develop new technology to promote successful civil-military operations during constabulary operations. These include adaptations to the training tools currently used, to include tools that train on security, infrastructure maintenance and human relations. Communications improvements include the need to train on and integrate civilian equipment with military capabilities. It is also necessary to develop new offensive and defensive weapons that are non-lethal for crowd control and use at checkpoints. Ultimately this force would have to be modular and scalable to a specific mission, trained regionally and linguistically to a specific area of operation and capable of interacting with joint, multinational, interagency, nongovernmental organizations and contractors.¹⁰⁰

Post-conflict scenarios require detailed interagency planning, many forces, multi-year military commitments and a national commitment to nation building. Recent post-conflict operations have had poor planning, problems with relevant military force structures, and difficult

⁹⁸ Crane, et al., 12.

⁹⁹ Orr, 306-327.

¹⁰⁰ Hans Binnendjik *Transforming for Stabilization and Reconstruction Operations* (Washington, D.C., National Defense University: 2004) 91-98.

handover to civilian responsibility. Military forces will continue to be severely taxed in conducting operations with military police, civil affairs, engineer and transportation units. They are currently and will continue to be challenged with making decisions in situations that they do not understand because of religious, ethnic, cultural or tribal differences. Modularity and transformation needs to truly be something different and not another kinetic answer to a problem that requires non-kinetic application. International and Federal laws require that the Army is capable of conducting post-conflict operations. The Army doctrine must change to truly reflect that this requirement is as important as the other Army missions. It must then be resourced with the personnel that are trained in security, governance, social-economic well being and judiciary institutions to facilitate tasks that must be accomplished during nation building. The necessary force is a separate organization from the combat formations that is constructed off of the historical analysis of past constabulary operations and future capabilities that will ensure our ability to truly conduct full spectrum operations.

GLOSSARY

Counterinsurgency: Those military, paramilitary, political, economic, psychological, and civic actions taken by a government to defeat insurgency. Also called COIN. (JP 1-02)

Insurgency: An organized movement aimed at the overthrow of a constituted Government through the use of subversion and armed conflict. (JP 1-02)

Guerrilla: A combat participant in guerrilla warfare. (JP 1-02)

Guerrilla force: A group of irregular, predominantly indigenous personnel organized along military lines to conduct military and paramilitary operations in enemy-held, hostile, or denied territory. (JP 3-05)

Security: A condition that results from the establishment and maintenance of protective measures that ensures a state of inviolability from hostile acts or influences. (JP 1-02)

Subversion: Action designed to undermine the military, economic, psychological, or political strength or morale of a regime. (JP 1-02)

APPENDIX A

Security Pillar	
Security Line of Operation	
Decisive Points and Key Tasks	
control of belligerents	Ceasefire
	enforcement of peace agreement
	disarmament
	demobilization
	reintegration
territorial security	border and boundary control
	movement
	points of entry
protection of populace	non-combatants
	public order
	clearance of UXO
protection of key individuals, infrastructure, and institutions	private institutions and individuals
	critical infrastructure
	military infrastructure
	public institutions
	reconstruction of indigenous security institutions
reconstruction of indigenous security institutions	national armed forces
	non-military security forces
	regional security arrangements
regional security	

Table 1. Security Line of Operation

Governance and Participation Pillar

Governance Line of Operation

Decisive Points and Key Tasks

national constituting process	national dialogue constitution
transitional governance	international transitional administration national transitional administration
executive authority	public sector civil service revenue generation recruitment and training infrastructure
legislative strengthening	Mandate citizen access technical assistance
local governance	legal basis decentralization institutional building traditional representation
transparency and anticorruption	anticorruption watchdogs

Participation Line of Operation

elections	planning and execution monitoring citizen outreach
political parties	Formation Training
civil society	development enabling environment
media	public information Training professionalism/ethics

Table 2. Governance and Participation Line of Operation

Social and Economic Well-Being Pillar

social well-being Line of Operation

Decisive Points and Key Tasks

Refugees and IDPs	prevention of displacement management of refugees management of IDPs
food security	emergency distribution market mechanisms agricultural development
public health	water and waste management medical capacity prevention of epidemics
shelter	construction adjudication of property disputes
educational system	human resources infrastructure curriculum literacy campaign
social safety net	pension system social security

Economic Well-Being Line of Operation

economic strategy and assistance	Strategy international financial assistance absorption
physical infrastructure	Power transportation telecommunication and information technology
employment generation	public works micro enterprise
markets	market reconstruction
legal and regulatory reform	property rights Business Labour
international trade	enabling environment trade facilitation
investment	Private public Subsidies
banking and finance	natural resources and environment central banking authority banking regulations and oversight

Table 3. Social and Economic Wellbeing Line of Operation

Justice and Reconciliation Pillar

Justice Line of Operation

Decisive Points and Key Tasks

justice	transitional justice
law enforcement	international police indigenous police
judicial system	reorganization training/recruitment infrastructure citizen access
laws	code and statutory reform participation
human rights	capacity building monitoring security force reform
Corrections	incarceration and parole infrastructure training
international courts and tribunals	establishment of courts and tribunals investigation and arrest citizen outreach

Reconciliation Line of Operation

truth commissions	organization citizen education reparations
community rebuilding	confidence building religion and traditional practices Women
individual healing and empowerment	Closure Individual empowerment

Table 4. Justice and Reconciliation Line of Operation

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